

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE OFFICE OF THE COMMISSIONER
OF BASEBALL,

Petitioner,

v.

MICHAEL S. SITRICK,

Respondent.

Case No. 13 Civ. 7990 (ER) (ECF Case)

**NOTICE OF
CROSS-MOTION**

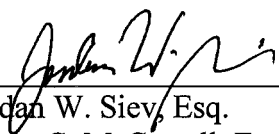
PLEASE TAKE NOTICE that upon the Cross-Petition of intervenor and cross-movant Alexander Emmanuel Rodriguez (“Mr. Rodriguez”), dated November 15, 2013, the Declaration of Jordan W. Siev, Esq., dated November 15, 2013, and all exhibits annexed thereto, the Declaration of Roy Black, Esq., dated November 15, 2013, and the accompanying Memorandum of Law, dated November 15, 2013, and upon all of the prior pleadings and proceedings heretofore had herein, Mr. Rodriguez, by and through his undersigned counsel, will cross-move before the Honorable Edgardo Ramos, Room 619, at the United States District Court, Southern District of New York, 40 Foley Square, New York, NY 10007, on November 19, 2013 at 4:30 p.m., or a subsequent date and time to be determined by the Court, for an Order:

1. Pursuant to Rule 24 of the Federal Rules of Civil Procedure, permitting Mr. Rodriguez to intervene in the above-captioned action;
2. Pursuant to Rule 45 of the Federal Rules of Civil Procedure, quashing the Arbitration Subpoena issued by the Petitioner to Respondent on or about September 19, 2013 (the “Subpoena”) or, in the alternative, for a protective order limiting the Subpoena pursuant to Rule 26(c) of the Federal Rules of Civil Procedure;
3. Granting the Cross-Petition; and
4. Granting such other and further relief the Court deems just, proper, and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order to Show Cause dated November 12, 2013, answering papers, if any, in connection with the foregoing motions are to be served so as to be received by the undersigned, as well as counsel for Respondent, by November 18, 2013.

Date: New York, New York
November 15, 2013

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